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Statement of Chairman Bennie G. Thompson

"The Next Step in Aviation Security—Cargo Security: Is DHS Implementing the Requirements of the 9/11 Law Effectively?"

July 15, 2008 (Washington) – Today, Committee on Homeland Security Chairman Bennie G. Thompson (D-MS) delivered the following prepared remarks for the Transportation Security and Infrastructure Protection Subcommittee hearing entitled "The Next Step in Aviation Security—Cargo Security: Is DHS Implementing the Requirements of the 9/11 Law Effectively?":

"This afternoon's hearing will evaluate progress made by TSA in implementing 100% cargo screening aboard all passenger aircraft, as required by the 9/11 Act passed last summer.

I would like to take this opportunity to applaud the efforts of my colleagues on this Committee for championing this important mandate and ensuring that we take the next step towards enhancing the nation's aviation security. I would like to particularly recognize the great efforts of Mr. Markey to highlight this issue.

The 9/11 Commission Report recommends that TSA "intensify its efforts to identify, track and appropriately screen potentially dangerous cargo in aviation."

In an effort to fulfill this recommendation, Congress has provided TSA with the necessary tools and a great deal of flexibility.

I am troubled that, notwithstanding this guidance from Congress, and millions upon millions of dollars appropriated to TSA, that air-cargo screening has not become more of a priority.

In light of the upcoming deadlines and the fact that TSA has still not released an Interim Final Rule that details its strategy to implement this mandate, I question the Administration's commitment to addressing this vulnerability and ensuring effective aviation security.

Instead, we have a President who attempted to fold cargo into an "aviation regulation" package and thus attempted to remove it as an individual line item in the budget.

This is unacceptable.

Today, I would like to know if TSA is prepared to discuss this Interim Final Rule, as well as TSA's assessment about whether it will meet the deadlines under the law.

Mr. Sammon, I am particularly looking forward to your testimony.

Under the law, TSA is required to screen 50% of all air cargo aboard passenger aircraft by February 2009. Additionally, the law requires TSA to ensure that 100% of cargo aboard all passenger aircraft be screened by August 2010.

Today we will also hear from other stakeholders expressing their concerns about TSA's plan to implement this mandate. Because of the flexibility afforded by the provisions in the 9/11 Act, I do not support an approach that has a disproportionately negative effect on small businesses.

Furthermore, TSA must provide stakeholders with guidance and an awareness of the available technologies as soon as possible so that this mandate can be met.

Today's hearing will also give us the opportunity to evaluate DHS' progress in exploring innovative technologies that can be applied to fulfill this mandate.

It is important to evaluate any existing research and coordination efforts between TSA and S&T. We need to ensure that the work and progress made by S&T as it relates to screening provides TSA with the tools it needs to effectively screen and detect explosives hidden in air cargo.

We are all aware of the existing economic challenges faced by the airline industry. However, the Committee expects that airlines will work cooperatively with other industry stakeholders and TSA to ensure that 100% screening is done.

Southwest Airlines has shown that 100% screening can be done. And, notwithstanding this commitment to security, it has been able to continue being a profitable business.

I have asked that TSA keep this Committee informed regarding its Interim Final Rule, including information about the resources needed; and that it provide my staff with periodic and comprehensive updates between now and February.

This hearing is not just about TSA checking the box. It is, however, about enhancing our aviation security and protecting Americans in the United States and abroad."

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